

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. 4:10-cv-01161

## PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Michael Bouton  
 was received by me on (date) 04-20-10

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
 on (date) \_\_\_\_\_; or

☒ I left the summons at the individual's residence or usual place of abode with (name) Treasia  
Bouton, wife, a person of suitable age and discretion who resides there,  
 on (date) 04-22-10, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of (name of organization) \_\_\_\_\_  
 on (date) \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 4-24-10

Pete Nielsen  
 Server's signature  
Pete Nielsen - Process Server  
 HONEST INVEST  
 311 S 4th Street, Ste 204  
 PO Box 6315  
 Grand Forks, ND 58206-6315  
 Server's address

Additional information regarding attempted service, etc:

# UNITED STATES DISTRICT COURT

for the  
Southern District of Texas

Memorial Hermann Hospital System

*Plaintiff*

v.

Michael Bouton

*Defendant*

Civil Action No. 4:10-cv-01161

## SUMMONS IN A CIVIL ACTION

To: (*Defendant's name and address*) Michael Bouton, M.D.  
310 38th Avenue E  
West Fargo, ND 58078

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Fred Wahrlich  
Munsch Hardt Kopf & Harr, P.C.  
700 Louisiana, Suite 4600  
Houston, TX 77002

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

DAVID J. BRADLEY

CLERK OF COURT

Date: 04/13/2010

*Signature of Clerk or Deputy Clerk*